

# Kansas Department of Agriculture

## Division of Food Safety and Lodging

1320 Research Park Drive, Manhattan, KS 66502  
(office) 785-564-6767 (fax) 785-564-6779

### KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

**Insp Date:** 6/15/2015      **Business ID:** 114123FE  
**Business:** RESTAURANTE TIERRA CALIENTE

624 KANSAS AVE  
KANSAS CITY, KS 66105

**Inspection:** 31002550  
**Store ID:**  
**Phone:** 9135732222  
**Inspector:** KDA31  
**Reason:** 03 Complaint  
**Results:** Follow-up

#### Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
06/15/15	08:57 AM	10:20 AM	1:23	0:07	1:30	0	
Total:			1:23	0:07	1:30	0	

#### FOOD ESTABLISHMENT PROFILE

Insp. Notification Print

Lic. Insp. No

Priority(P) Violations 2 Priority foundation(Pf) Violations 1

Certified Manager on Staff ..

Address Verified p

Actual Sq. Ft. 0

Certified Manager Present ..

#### INSPECTION INFORMATION

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT [www.agriculture.ks.gov](http://www.agriculture.ks.gov), EMAIL [fsl@kda.ks.gov](mailto:fsl@kda.ks.gov), OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

#### FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

##### Demonstration of Knowledge

1. Certification by accredited program, compliance with Code, or correct responses.

Y N O A C R  
.. .. p .. ..

##### Employee Health

2. Management awareness; policy present.

Y N O A C R  
p .. .. .. ..

3. Proper use of reporting, restriction and exclusion.

p .. .. .. ..

##### Good Hygienic Practices

Y N O A C R

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices			Y	N	O	A	C	R
4. Proper eating, tasting, drinking, or tobacco use			p	..	..	..	..	..
5. No discharge from eyes, nose and mouth.			p	..	..	..	..	..
Preventing Contamination by Hands			Y	N	O	A	C	R
6. Hands clean and properly washed.			..	..	p	..	..	..
7. No bare hand contact with RTE foods or approved alternate method properly followed.			..	..	p	..	..	..
8. Adequate handwashing facilities supplied and accessible.			..	p	..	..	..	..
<i>Fail Notes</i>	6-301.12	<i>Pf - Each HANDWASHING SINK or group of adjacent HANDWASHING SINKS shall be provided with: Individual, disposable towels; a continuous towel system that supplies the user with a clean towel; a heated-air hand drying device; or a hand drying device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures. [No paper towels were at the handsink in the food prep.]</i>						
	6-301.14	<i>A sign or poster that notifies FOOD EMPLOYEES to wash their hands shall be provided at all HANDWASHING SINKS used by FOOD EMPLOYEES and shall be clearly visible to FOOD EMPLOYEES. [No sign or poster that notifies food employees to wash their hands.]</i>						
Approved Source			Y	N	O	A	C	R
9. Food obtained from approved source.			p	..	..	..	..	..
10. Food received at proper temperature.			..	..	p	..	..	..
11. Food in good condition, safe and unadulterated.			p	..	..	..	..	..
12. Required records available: shellstock tags, parasite destruction.			..	..	..	p	..	..
Protection from Contamination			Y	N	O	A	C	R
13. Food separated and protected.			p	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.			p	..	..	..	..	..
15. Proper disposition of returned, previously served, reconditioned and unsafe food.			..	..	p	..	..	..
Potentially Hazardous Food Time/Temperature			Y	N	O	A	C	R
16. Proper cooking time and temperatures.			..	..	p	..	..	..
17. Proper reheating procedures for hot holding.			..	..	p	..	..	..
18. Proper cooling time and temperatures.			..	..	p	..	..	..
19. Proper hot holding temperatures.			..	..	p	..	..	..
20. Proper cold holding temperatures.			p	..	..	..	..	..
<b><i>This item has Notes. See Footnote 1 at end of questionnaire.</i></b>								
21. Proper date marking and disposition.			p	..	..	..	..	..
22. Time as a public health control: procedures and record.			..	..	..	p	..	..
Consumer Advisory			Y	N	O	A	C	R
23. Consumer advisory provided for raw or undercooked foods.			..	..	..	p	..	..
Highly Susceptible Populations			Y	N	O	A	C	R
24. Pasteurized foods used; prohibited foods not offered.			..	..	..	p	..	..
Chemical			Y	N	O	A	C	R
25. Food additives: approved and properly used.			p	..	..	..	..	..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical		Y	N	O	A	C	R
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26. Toxic substances properly identified, stored and used.

.. p .. .. ..

<i>Fail Notes</i>	7-206.12	<i>P - Rodent bait shall be contained in a covered, tamper-resistant bait station. [Green rodent bait blocks were under a storage rack that were not into a bait station.]</i>
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Conformance with Approved Procedures		Y	N	O	A	C	R
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27. Compliance with variance, specialized process and HACCP plan.

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## GOOD RETAIL PRACTICES

Safe Food and Water		Y	N	O	A	C	R
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28. Pasteurized eggs used where required.

.. .. . p .. ..

29. Water and ice from approved source.

p .. .. . .. ..

30. Variance obtained for specialized processing methods.

.. .. . p .. ..

Food Temperature Control		Y	N	O	A	C	R
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31. Proper cooling methods used; adequate equipment for temperature control.

p .. .. . .. ..

32. Plant food properly cooked for hot holding.

.. .. . p .. ..

33. Approved thawing methods used.

.. .. . p .. ..

34. Thermometers provided and accurate.

p .. .. . .. ..

Food Identification		Y	N	O	A	C	R
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35. Food properly labeled; original container.

p .. .. . .. ..

Prevention of Food Contamination		Y	N	O	A	C	R
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36. Insects, rodents and animals not present.

.. p .. .. . ..

<i>Fail Notes</i>	6-501.111(A)	<i>P - Pests (Prohibited) The PREMISES shall be maintained free of insects, rodents, and other pests. [3 live roaches were crawling under a table in the dining area. 5 live roaches were crawled under a RIC in cooler room before you enter the food prep area. 3 live roaches were crawling on the floor around the green rodent bait block under the storage rack. 20 live roaches were stuck on a glue trap that was behind the cooking stove. 2 live roaches were in a cabinet space were single-serve lids for drink cups were kept. 5 live roaches were under a trash bag in the food prep area. 40 plus fresh mouse droppings were under a food storage rack. 50 plus fresh mouse droppings were along baseboard in the food prep area. 50 fresh mouse droppings were crawl space of the cooking stove. PIC provided pest control invoice with a service date of 6-8-15.]</i>
	6-501.111(B)(4)	<i>Pests (Harborage) The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the PREMISES by eliminating harborage conditions. [Old cooling equipment (not working) in the food prep area.]</i>
	6-501.112	<i>Dead or trapped birds, insects, rodents, and other pests shall be removed from control devices and the PREMISES at a frequency that prevents their accumulation, decomposition, or the attraction of pests. [Dead roaches were on a glue trap, along the walls, under tables in the dinning area, and cabinet storage space.]</i>

37. Contamination prevented during food preparation, storage and display.

p .. .. . .. ..

38. Personal cleanliness.

p .. .. . .. ..

39. Wiping cloths: properly used and stored.

.. .. . p .. ..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination			Y	N	O	A	C	R
40. Washing fruits and vegetables.			..	..	p	..	..	..
Proper Use of Utensils			Y	N	O	A	C	R
41. In-use utensils: properly stored.			p	..	..	..	..	..
42. Utensils, equipment and linens: properly stored, dried and handled.			p	..	..	..	..	..
43. Single-use and single-service articles: properly used.			p	..	..	..	..	..
44. Gloves used properly.			..	..	p	..	..	..
Utensils, Equipment and Vending			Y	N	O	A	C	R
45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items			p	..	..	..	..	..
45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items			p	..	..	..	..	..
46. Warewashing facilities: installed, maintained, and used; test strips.			p	..	..	..	..	..
<b><i>This item has Notes. See Footnote 2 at end of questionnaire.</i></b>								
47. Non-food contact surfaces clean.			p	..	..	..	..	..
Physical Facilities			Y	N	O	A	C	R
48. Hot and cold water available; adequate pressure.			p	..	..	..	..	..
49. Plumbing installed; proper backflow devices.			..	p	..	..	..	..
Fail Notes	5-205.15(B)	<i>Plumbing system (Maintained) A PLUMBING SYSTEM shall be maintained in good repair. [Toilets in the women's and men's rooms are not working and they over flows onto the floor when they are flushed. PIC a service call was placed for repairs.]</i>						
50. Sewage and waste water properly disposed.			p	..	..	..	..	..
51. Toilet facilities: properly constructed, supplied and cleaned.			p	..	..	..	..	..
52. Garbage and refuse properly disposed; facilities maintained.			p	..	..	..	..	..
53. Physical facilities installed, maintained and clean.			..	p	..	..	..	..
Fail Notes	6-501.11	<i>PHYSICAL FACILITIES shall be maintained in good repair. [Ceiling tiles were water stained in the food prep area, and some were missing.]</i>						
	6-501.12(A)	<i>PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean. [Dried food debris was on the walls in the food prep area. Food debris under storage racks. Grease buildup was behind the cooking stove.]</i>						
54. Adequate ventilation and lighting; designated areas used.			p	..	..	..	..	..
Administrative/Other			Y	N	O	A	C	R
55. Other violations			..	p	..	..	..	..

## KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Administrative/Other

Y N O A C R

Fail Notes	8-404.11	<p><i>P - A LICENSEE shall immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMINENT HEALTH HAZARD may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, SEWAGE backup, misuse of POISONOUS OR TOXIC MATERIALS, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health. A LICENSEE need not discontinue operations in an area of an establishment that is unaffected by the IMMINENT HEALTH HAZARD.</i></p> <p><i>[Due to live roaches and rodent activity in the food establishments there an imminent health hazard exist in the establishment. The establishment does not have working toilets in the establishment.]</i></p>
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### EDUCATIONAL MATERIALS

The following educational materials were provided      p

## KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

### **Footnote 1**

**Notes:**

RIC cooked rice 38F

### **Footnote 2**

**Notes:**

Person in charge provided test kit for the use of chlorine.

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

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**Inspection:** 31002550  
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## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled \_\_\_\_\_

Inspection Report Number 31002550

Inspection Report Date 06/15/15

Establishment Name	RESTAURANTE TIERRA CALIENTE
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Physical Address 624 KANSAS AVE City KANSAS CITY  
 Zip 66105

### Additional Notes and Instructions

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## VOLUNTARY CLOSURE STATEMENT

**Insp Date:** 6/15/2015      **Business ID:** 114123FE  
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### VOLUNTARY CLOSURE STATEMENT

BECAUSE OF DEFICIENCIES NOTED ON THE ATTACHED KANSAS DEPARTMENT OF AGRICULTURE INSPECTION REPORT, I VOLUNTARILY AGREE TO CLOSE THIS ESTABLISHMENT AND CEASE OPERATION UNTIL NEEDED CORRECTIONS HAVE BEEN COMPLETED. I AGREE NOT TO REOPEN THIS ESTABLISHMENT PRIOR TO RE-INSPECTION BY THE FOOD, DRUG, AND LODGING SURVEYOR.

Reinspection is currently scheduled for \_\_\_\_\_

Inspection Report Number 31002550      Inspection Report Date 06/15/15

Establishment Name RESTAURANTE TIERRA CALIENTE

Physical Address 624 KANSAS AVE      City KANSAS CITY  
\_\_\_\_\_  
Zip 66105

Additional Notes

The PIC will need to call the inspector for a reopening inspection.